necessary in determining the function of a chemical patent. Judge Christenson did not make the same observation in holding my patent invalid, because this vital evidence was withheld from him by my attorneys. My right to a fair trial under Article 5 of the Constitution was denied me.

In regard to rules, this Court has jurisdiction under Rule 20 because this "is of such imperative public importance as to justify the deviation from normal appellate processes and to require immediate settlement in this Court." More than 15,000 Americans will die of emphysema this year. This is 8 fold over 10 years ago (Exhibit 26). It coincides with the introduction and increased use of diesel buses in city transit service (Exhibit 12, bottom). I can prove by Exhibit 59 that no other form of combustion other than the diesel engine and the electric furnace synthetically makes and discharges oxides of nitrogen into our cities' air. Exhibit 59 and Exhibit 9 will show 50 pounds of anhydrous nitric acid gas issues each normal 8-hour working day from every diesel bus in city transit service with a 6-71 G.M. diesel bus engine. Detoxifying this gas from every diesel bus sold in our cities since 1952 is the only way to get normal air, as of 1952, when L. A. air had less than 1 P.P.M. not 3.93 (Exhibit 12).

Tolerance, which is the power of enduring or resisting a poison, is set at 5 parts per million for an 8-hour exposure to oxides of nitrogen. The General Motors diesel bus engine under load puts out 954 P.P.M. Exhibit 9. A diesel bus under load with a 6-71 General Motors diesel engine puts out 2000 cubic feet of exhaust gas *per minute* (10 cubic feet for each output of one horsepower). To dilute one cubic foot of General Motors diesel bus exhaust gas containing 954 P.P.M. of nitrogen oxide down to the

5 P.P.M. tolerance requires that 954/5 - 1 = 190.8 - 1 = 189.8 cubic feet of fresh air (free from oxides of nitrogen) be mixed with the one cubic foot of diesel exhaust. To dilute the 2000 cubic feet of exhaust that issues from a diesel bus under load *each minute* requires 2000 x 189.8 or 379,789.8 cubic feet of fresh air *per minute*. Our cities have long since run out of such fresh air, thanks to the diesel engine.

When you consider the myriad of General Motors diesel buses in our cities and the 15,000-horsepower General Motors diesel railroad locomotives that are in and out of our cities every day, you can see why they are now, after reaping billions of profit from the sale of diesel power for use in our cities, laying onto the public the shortcomings of their diesel engines. General Motors is no doubt spending millions on TV and newspaper propaganda to hide their perfidy (Exhibit 26). Sandy Vanocher's September 18, 1966, one hour NBC TV broadcast on air pollution is such propaganda, as was the hour long broadcast on Columbia TV by Daniel Schoor.

Until all of the anhydrous nitric acid gas from diesel power in city transit service is detoxified, silent nitric acid death will stalk our streets. General Motors propaganda is inveigling the public to live with air pollution as a consequence of city life because they know if the public knew that their diesel power in city transit service creates 99.44% of the toxic air they would be forced to clean it up from every diesel engine they have sold for city transit service since 1952 on the basis there were no harmful parts in G.M. diesel exhaust (Exhibit 22).

We malign the Russian communists, but the first precept of communism is directed at the health of their

comrades (Exhibit 13). Here in the United States we have *General Motors whose first precept is grasping money and who in* 1951 *knew that the diesel exhaust from their engines was deadly in the Idarado mine, and with that knowledge when the same condition developed in Los Angeles from their diesel buses in* 1952 *which were displacing the electric street cars they used that knowledge to indict all public combustion as being the cause of their diesel engine air pollution.* The Russians used this same knowledge about diesel combustion to forbid diesel power to operate in their cities (Exhibit 13).

Exhibit 59 will show anhydrous nitric acid gas is inherent in diesel combustion. Using the same absorption test on gasoline engine exhaust will show this toxic acid is not present in gasoline engine exhaust. Forcing General Motors to show how much diesel power they have sold in city transit service, then multiplying this number by the weight of anhydrous nitric acid gas each diesel horsepower produces, will show where the toxic smog comes from.

The oxides of nitrogen in the mine air from the Idarado mine locomotives on the tunnel level were compressed with the air to 125 pounds per square inch. They were then transmitted in the 4" pipe air line 3000 feet to the rock drill in the scram drift where Mr. Torrey said "20 feet back they were extremely irritating" (Exhibit 11). This proves they are indestructible and they can go through a cigaret filter with ease (Exhibit 26).

To synthetically combine one molecule of nitrogen with one molecule of oxygen requires 21.85 kilo calories of heat, or 218,500 small calories of heat, to produce

14,008 + 16,000 = 30,008 grams NO (page 210, Thermo Chemistry, Reinhold Publishing Co.).

Only diesel engine combustion in city atmosphere has *the high heat* plus the 20 to 1 excess air to fuel ratio to endothermally combine oxygen and nitrogen to form nitric oxide (NO) which is only 3% water soluble, but in city air it exothermally spontaneously combines with oxygen to form nitrogen dioxide, NO_2, which gives off 13.57 kilo calories of heat, or 135,700 small calories of heat (page 211, Thermo Chemistry) to form 46 *grams of chemically water soluble anhydrous nitric acid* (NO_2) *gas.*

This chemical radical NO_2 — is negatively charged and puts all atmosphere particulate matter in colloidal dispersion (smog). It is also anhydrous nitric acid gas from diesel exhaust combining with rain water on a building to trickle down the bricks and eat the mortar, forming calcium nitrate, or with the bicarbonate in the blood and lungs to form a sodium salt and destroy lung tissue, and in a limestone detoxifying diesel exhaust gas conditioner to form calcium nitrate [$Ca(NO_3)_2$] by chemically absorbing the anhydrous nitric acid gas into the water, forming nitric acid (HNO_3) which is by the limestone neutralized to calcium nitrate. This saves the miners' lungs.

Big steam power plants do not have the excess air in their combustion to form this toxic acid. They use only the stoichometric 14.5 to 1 air to fuel ratio amount of air to burn or oxidize the hydrogen to water, H_2O, and the carbon to CO_2. Heating the surplus air would be a waste of heat. On these TV air pollution programs combustion steam condensate stems from these stacks and is alluded to as air pollution. Saturday Evening Post, Oct. 8, 1966 (Exhibit 28).

14.5

I have a rotary air suction pump on my exhibit demonstrator and can prove there is no ionized anhydrous nitric acid gas in the gas emanating from trashburners, a gasoline automobile, or such smoke stacks as the Commonwealth Edison has in New York City, or any other high thermal efficiency steam plant.

The one hour NBC TV program on air pollution spieled by Sandy Vanocher and the one hour Columbia TV air pollution spieled by Daniel Schoor are nothing but bunco programs which point to billions of dollars damage caused by the thousands of tons of *nitric acid gas yearly discharged into our cities' air principally by General Motors diesel power* and not from the public's *autos, trash burners, or their steam power plants.*

With the exception of the electric smelting or electric steel melting furnaces which might perhaps be in a city, I can prove by my Exhibit 59 there is nothing other than diesel power which discharges *synthetic nitric acid gas in city air.* From the exhaust of any diesel bus or diesel railroad locomotive I can in ten minutes convert the 50 *gallons of water* in my conditioner to *nitric acid having a pH of* 2.65, the same as I do in Exhibit "59."

The only difference between my conditioner in detoxifying diesel exhaust and the human lungs, I can replenish the limestone eaten up by the diesel exhaust but you can't replenish the human lungs. Here we have a physical and chemical means which can alleviate human suffering and promote health.

In 1923 I spent several months on the Denver Grand Jury which uncovered evidence so the petty jury could convict over 20 bunco artists. They only buncoed their

victims out of their money, but "Spielers" Vanocher and Schoor are hoping to bunco the U. S. public not only out of their money but out of what is more valuable, their health as well.

Exhibit "59" will expose this perfidy if permitted by this honorable Court.

Respectfully submitted,

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